

REMARKS

In the July 25, 2008 Office Action, claims 1-3, 5-18, and 21-25 stand rejected in view of prior art. No other objections or rejections were made in the Office Action.

Status of Claims and Amendments

In response to the July 25, 2008 Office Action, Applicants respectfully traverse the rejections. Thus, claims 1-3, 5-18, and 21-25 are pending, with claims 1, 12, 21, and 25 being the only independent claims. Reexamination and reconsideration of the pending claims are respectfully requested in view of the following comments.

Rejections - 35 U.S.C. § 103

On pages 2-7 of the Office Action, claims 1, 2, 5-8, 12, 13, 15, 21, and 25 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,502,468 (Knierim) in view of U.S. Patent Publication No. 2003-01935339 (Umetani et al.), U.S. Patent No. 6,843,548 (Arakawa et al.), and U.S. Patent No. 6,331,040 (Yonekubo et al.).

On pages 7 and 8 of the Office Action, claims 3 and 14 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Knierim in view of Umetani et al., Arakawa et al., Yonekubo et al, and U.S. Patent No. 6,257,687 (Iwamura).

On pages 8-10 of the Office Action, claims 9, 11, 16, and 18 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Knierim in view of Umetani et al., Arakawa et al., Yonekubo et al, and U.S. Patent Publication No. 2002-0005873 (Suzuki).

On pages 10 and 11 of the Office Action, claims 10 and 17 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Knierim et al. in view of Umetani et al., Arakawa et al., Yonekubo et al, and U.S. Patent No. 6,488,349 (Matsuo).

On pages 11 and 12 of the Office Action, claims 22 and 23 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Knierim et al. in view of Umetani et al., Arakawa et al., Yonekubo et al, and U.S. Patent No. 6,998,230 (Schantz).

Further, on pages 12 and 13 of the Office Action, claim 24 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Knierim et al. in view of Umetani et al., Arakawa et al., Yonekubo et al, and International Patent Publication No. WO02/090119 (Weksler). In response, Applicants respectfully traverse the rejections.

More specifically, claim 1 of the Application recites that a physical property value acquisition section is configured and arranged to acquire physical property values of *the droplets discharged from the discharge head*.

Yonekubo et al. were cited in the Office Action to show that the physical property value acquisition section, by referring to Column 3, Lines 52-64 and Column 4, Lines 41-56. However, Applicants respectfully assert that Yonekubo et al. does not disclose the physical property value acquisition section of the present invention, as Yonekubo et al. disclose detecting a parameter reflecting the ease of the spout of ink, for example, the viscosity of ink in column 4, lines 45-53. Namely, Applicant respectfully assert that Yonekubo et al. acquire physical property values of the *ink*, but not specifically the *droplets* discharged from the discharged head.

Knierim et al. were cited in the Office Action to show a condition storage section, a waveform adjusting section, and a basic drive waveform storage section. Umetani et al. were cited in the Office Action to show a weight measuring section, an electrode, an oscillator, a frequency counter. Arakawa was cited in the Office Action to show a speed measuring section and the speed measuring section computing the velocity of the droplets. Iwamura was cited in the Office Action to show a waveform-adjusting section. Suzuki was cited in the

Office Action to show that the waveform-adjusting section changes the drive waveform by using at least one of an early electric potential VC, an electric potential VH, and an electric potential VL, and that the waveform adjusting section determines the electric potential and the early electric potential VH. Matsuo et al. were cited in the Office Action to show that the waveform-determining section determines a hold time to maintain the electric potential VL. Shantz was cited in the Office Action to show an electronic equipment. Weksler was cited in the Office Action to show that the speed measuring section has a camera and a strobe light.

Applicants respectfully assert that the above-mentioned arrangement is **not** disclosed or suggested by the Krierim et al., Umetani et al., Arakawa, Yonekubo et al., Iwamura, Suzuki, Matsuo, Schwantz, Weksler, or any other prior art of record. It is well settled in U.S. patent law that the mere fact that the prior art can be modified does **not** make the modification obvious, unless the prior art provides an **apparent reason** for the desirability of the modification. Accordingly, the prior art of record lacks any apparent reason, suggestion or expectation of success for combining the patents to create the Applicants' unique arrangement of the drive waveform-detecting device.

As claims 12, 21, and 25 similarly recite, Applicants respectfully assert that claims 12, 21, and 25 are also allowable for the same or similar reasons stated above.

Moreover, Applicants believe that the dependent claims 2, 3, 5-11, 13-18, 22-24 are also allowable over the prior art of record in that they depend from independent claims 1, 12, 21, and 25 and therefore are allowable for the reasons stated above. Also, the dependent claims 2, 3, 5-11, 13-18, 22-24 are further allowable because they include additional limitations. Thus, Applicants believe that since the prior art of record does not disclose or suggest the invention as set forth in independent claims 1, 12, 21, and 25, the prior art of record also fails to disclose or suggest the inventions as set forth in the dependent claims.

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Amendment dated October 24, 2008
Reply to Office Action of July 25, 2008

Therefore, Applicants respectfully request that the rejections be withdrawn in view of the above comments and amendments.

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In view of the foregoing amendment and comments, Applicants respectfully assert that claims 1-3, 5-18, and 21-25 are now in condition for allowance. Reexamination and reconsideration of the pending claims are respectfully requested.

Respectfully submitted,

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